

REMARKS**1.) Claim Amendments**

Applicants have amended claims 12, 16 and 20 to better claim the invention, cancelled claims 13 and 17, without prejudice and added claims 21-22 to further claim the invention. Support for the amendments can be found, for example, on page 3, paragraphs [0014] and [0015] in the present patent application. Accordingly, claims 12, 14-16 and 18-22 are pending in the present patent application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103

Claims 12-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,325,434 issued to Spaanderman et al. (hereinafter “Spaanderman”) in view of U.S. Patent No. 6,839,434 issued to Mizikovsky (hereinafter “Mizikovsky”). Before addressing this rejection in detail, it should be noted that the Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP 2142*. To establish *prima facie* case of obviousness, certain criteria must be met. *First*, the prior art reference or references when combined must teach or suggest all the claim elements. *Second*, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. With the above requirements in mind, Applicants respectfully traverse this rejection **insofar as it applies to the amended claims** per discussion below.

Regarding the amended independent claim 12, Applicants respectfully submit that the cited prior art references, alone or in combination, fail to teach or suggest all the claim elements as specified in claim 1. For example, Spaanderman, Mizikovsky or both fail to

teach or suggest the element regarding “*determining whether the second public key has been stored prior to establishing the second wireless communication*”.

With respect to Spaanderman, Examiner has relied on it as a primary reference for disclosing certain claimed subject matters. *See Office Action, pages 2-3*. To expedite the prosecution of this case, Applicants hereby assume that the subsequent first and second key values of Spaanderman as relied on by the Examiner are similar to the first and second public keys as specified in claim 12. *Column 8, lines 3-37*. The Examiner has also relied on Spaanderman to teach or suggest the determination of whether the **second public key has been stored prior to establishing the second wireless communication**. *Office Action, page 3 & Spaanderman, column 9, lines 11-31*. Thus, based on Applicants’ assumption and the Examiner’s reliance on Spaanderman, Spaanderman **must** teach or suggest the determination whether the **second key value has been stored prior to establishing the second wireless communication**. Applicants have reviewed the column 9, lines 11-31 of Spaanderman and respectfully submit that such cited texts do reference the generation of a fixed reset key value but clearly do **not** reference the second key value or the determination of whether the second key value of Spaanderman has been stored. Accordingly, Spaanderman fails to teach or suggest all the claim elements as specified in claim 12.

The same is true with Mizikovsky. More specifically, the Examiner has relied on Mizikovsky to teach or suggest “making the second generation of key independent from the first”. As apparent from the Examiner’s reliance, Mizikovsky also fails to teach or suggest the element regarding “*determining whether the second public key has been stored prior to establishing the second wireless communication*”.

Based on the above discussion, claim 12 should be non-obvious and patentably distinguishable over the cited prior art references, which fail to teach or suggest all the claim elements as discussed above.

Regarding claim 13, it has been cancelled without prejudice and thus its rejection is moot.

Regarding claims 14-15, they depend from independent claim 12, which is believed to be patentable, and thus they should also be non-obvious and patentably distinguishable over the cited prior art references. *MPEP 2143.03*.

Regarding the amended independent claim 16, it comprises at least one novel element that is similar to at least one novel element of claim 12, which is believed to be patentable. Accordingly, claim 16 should be non-obvious and patentably distinguishable over the cited prior art references for reasons similar to those discussed above regarding claim 12.

Regarding claim 17, it has been cancelled without prejudice and thus its rejection is moot.

Regarding claims 18-19, they depend from independent claim 16, which is believed to be patentable, and thus they should also be non-obvious and patentably distinguishable over the cited prior art references. *MPEP 2143.03*.

Regarding the amended independent claim 20, it comprises at least one novel element that is similar to at least one novel element of claim 12, which is believed to be patentable. Accordingly, claim 20 should be non-obvious and patentably distinguishable over the cited prior art references for reasons similar to those discussed above regarding claim 12.

Regarding new independent claims 21-22, each comprises at least one novel element that is similar to at least one novel element of claim 12, which is believed to be patentable. Accordingly, claims 21-22 should be non-obvious and patentably distinguishable over the cited prior art references for reasons similar to those discussed above regarding claim 12.

CONCLUSION

Claims 12, 14-16 and 18-22 are presently standing in this patent application. In view of the foregoing remarks, each and every point raised in the Office Action mailed on June 28, 2006 has been addressed on the basis of the above remarks. Applicants believe all of the claims currently pending in this patent application to be in a condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested. However, should the Examiner believe that direct contact with Applicants' attorney would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the number given below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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